

08-02-05

RCE/2113

PTO/SB/30 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/972,365
Filing Date	October 5, 2001
First Named Inventor	Ulrich Bungert
Art Unit	2113
Examiner Name	Michael C. Maskulinski
Attorney Docket Number	071308.0419

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☒ Other Petition for Extension of Time

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 50-2148 I have enclosed a duplicate copy of this sheet.

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☒ Other Any additional fees to effectuate this filing.

b. ☒ Check in the amount of \$ 790. & \$1,020. enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>			
Signature		Date	July 29, 2005
Name (Print/Type)	Bruce W. Slayden II	Registration No.	33,790

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail No. EV351256019 US addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature		Date	August 1, 2005
Name (Print/Type)	Jason Lee Irby	Date	August 1, 2005

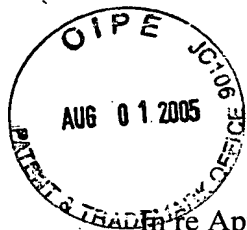
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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071308.0419

PATENT APPLICATION  
09/972,365

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ulrich Bungert et al.

Serial No.:

09/972,365

Date Filed:

October 5, 2001

Group Art Unit:

2113

Examiner:

Maskulinski, Michael C.

Title:

AUTOMATIC GENERATION OF  
DIAGNOSTIC PROGRAMS FOR SPS-  
CONTROLLED SYSTEMS

**MAIL STOP – RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV351256079US addressed to: Mail Stop – RCE, Commissioner of Patents, Office, P.O. Box 1450, Alexandria, VA 22313-1450, on August 1, 2005.

Name: Jason Lee Irby

Dear Sir:

**REQUEST FOR CONTINUED EXAMINATION AND AMENDMENT**

In response to the Final Office Action mailed January 31, 2005 and the Advisory Action mailed June 3, 2005, Applicants respectfully submit the following amendments set forth below and request favorable action thereon.

**Amendment to the Attorney Docket No.** on page 2 of this paper.

**Amendments to Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

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071308.0419

PATENT APPLICATION  
09/972,365

2

**ATTORNEY DOCKET NO.**

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Applicants respectfully request correction of the Attorney Docket No. in the United States Patent Office records. Please replace with Attorney Docket No. **071308.0419**.